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Legislative Audit Division

State of Montana

Report to the Legislature

March 2000

Performance Audit

Wildlife Division

Department of Fish, Wildlife and Parks

This performance audit contains 11 recommendations for improvements in accountability over management of Montana's wildlife and habitat resources. Recommendations include:

- Properly documenting wildlife management decisions.
- Completing and updating management plans for managed species.
- Developing a formal process for selecting Habitat Montana projects.
- Implementing a system for evaluating habitat projects.
- Establishing policies to clarify public access requirements in habitat contracts.
- Emphasizing coordination between wildlife and habitat management.

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Members of the performance audit staff hold degrees in disciplines appropriate to the audit process. Areas of expertise include business and public administration, statistics, economics, computer science, and engineering.

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March 2000

The Legislative Audit Committee
of the Montana State Legislature

This is our performance audit of the Wildlife Division within the Department of Fish, Wildlife and Parks.

This report provides information to the legislature regarding management of Montana's wildlife and wildlife habitat resources. Overall, we found the department is managing wildlife. Our report includes recommendations for improvements in accountability over management activities. Responses from the department are contained at the end of the report.

We wish to express our appreciation to department personnel for their cooperation and assistance during the audit.

Respectfully submitted,

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Legislative Auditor

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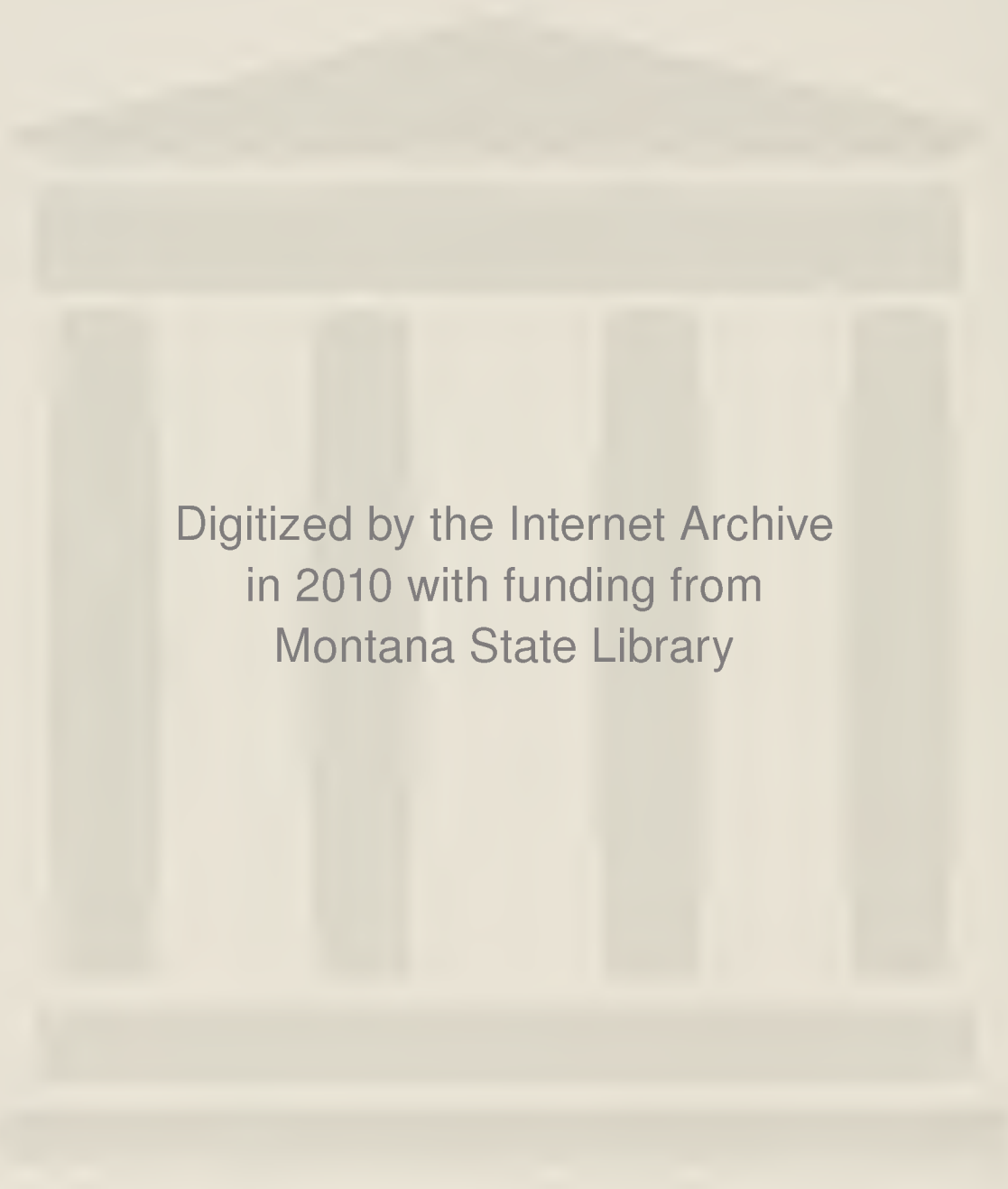
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Legislative Audit Division

Performance Audit

Wildlife Division

Department of Fish, Wildlife and Parks

Members of the audit staff involved in this audit were Kent Rice, Kent Wilcox, and Mary Zednick.

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Appointed and Administrative Officials

Fish, Wildlife and Parks Commission	Stan Meyer, Chairman (Great Falls) Dave Simpson, Vice Chairman (Hardin) Darlyne Dascher (Fort Peck) Charles Decker (Libby) Tim Mulligan (Whitehall)
Department of Fish, Wildlife and Parks	Pat Graham, Director Rich Clough, Chief of Operations Chris Smith, Chief of Staff Don Childress, Administrator, Wildlife Division Glenn Erickson, Chief, Management Bureau Steve Knapp, Chief, Habitat Bureau

Introduction

The Department of Fish, Wildlife and Parks (FWP) is responsible for management of Montana's wildlife and wildlife habitat. Based on comments and concerns from legislators and the general public regarding wildlife management, a performance audit was requested by the Legislative Audit Committee. We reviewed both wildlife and habitat activities conducted by FWP. Our main question was:

"Does the department actively manage Montana's wildlife and habitat?"

Background

Section 87-1-201(1), MCA, assigns responsibility for supervision of all Montana's wildlife, fish, game and nongame birds, waterfowl, and game and furbearer animals to FWP. FWP assigned responsibility for carrying out this statutory duty to the Wildlife Division. The department has headquarters in Helena and seven regional offices throughout Montana. Programs are coordinated in Helena and implemented through the seven regions. A supervisor administers each region and is responsible for all FWP activities within the region. Wildlife managers and biologists in the regions are responsible for conducting day-to-day activities regarding wildlife and habitat management.

FWP Is Managing Montana's Wildlife

Overall, we found FWP is managing wildlife. The current wildlife program emphasizes hunting as a traditional strategy for managing Montana's game species. In general, when setting harvest levels, the department strives for a balance between hunting opportunity and landowner tolerance of the number of wildlife. Within this management strategy, the department operates to maintain the viability of wildlife populations.

Comparing the department's activities with the definition of management indicates the department is complying with the law. While some things are out of the department's control, such as weather and access to private land, it has established policies and procedures to protect wildlife. Biological information, harvest data, landowner and hunter input, research, and other information is collected and used to regulate hunting. Hunting regulations are established and enforced by the department and FWP Commission,

which may include closing seasons for certain species. Habitat improvement projects are completed around the state. These activities are conducted with the intent of maintaining or increasing wildlife populations. An ecosystem includes wildlife and habitat, as well as humans. Thus, the optimum carrying capacity of the habitat balances the needs of wildlife and humans. The department's strategies attempt to accomplish this.

Documenting Management Actions

The department has established objectives for some wildlife species. Justification forms, which reference objectives, are required to support recommendations for changes in hunting. Decisions on final hunting seasons and quotas are made by the FWP Commission at public meetings. Documentation is critical to this process.

Lack of data and documentation lessens the department's accountability. Without complete documentation, individuals involved with or interested in wildlife management will not have a clear understanding of department plans, actions, and decisions. This can create doubt and distrust. Most of the comments received by our office in support of an audit of the department indicated concerns with management actions.

We believe the department should implement two improvements to its season-setting process. First, the department should maintain a complete history of all decisions made during the process. This will provide a valuable source of information for future decision-makers working on seasons and quotas and their impact on wildlife populations. Secondly, the department needs to implement procedures to help ensure required information is included in all justification forms. This should include dates completed, management objectives addressed, or reasons why objectives are not applicable.

Use of Weather Data

The most common response given by biologists to the question of what impacts wildlife populations the most is weather and habitat. While weather data is summarized by some biologists, it is not being analyzed to determine impacts and trends on wildlife populations.

The department and the FWP Commission should have relevant data available for use in managing wildlife populations. Biologists regularly analyze trends in populations. Weather trends could also be analyzed and compared to population fluctuations to help support conclusions and make management decisions.

Compiling and analyzing weather data should help improve wildlife management by providing decision-makers with more information to help identify population changes and predict future impacts.

Harvest Statistics

Another important element of wildlife management is harvest data. The department collects harvest statistics through an annual survey and annual check station operations. Harvest statistics provide information on hunters and animals harvested. FWP's computer programmer responsible for completing harvest statistic reports passed away in 1996. Specific details on how the programs functioned were not documented, so the system could not operate. As a result, the reports for deer, elk, antelope, black bear, mountain lion, and upland birds were not created for 1996, 1997, and 1998.

Department personnel are working on creating a new database. The department is also making progress in getting survey reports printed. Further actions by the department to ensure future data is available will improve wildlife management overall.

Species Management Plans

There are various management plans related to specific species, including statewide plans for deer and elk. The department completed environmental impact statements for management of black bears and mountain lions and intends to develop management plans for both species. In addition to these statewide documents, there are several regional plans: one region has its own elk, antelope, and bighorn sheep plans, and another region also has a

bighorn sheep plan. These plans are intended to guide department personnel in managing wildlife species.

Written Plans

Written management plans are needed in some regions. There are no management plans for mountain goat, moose, or upland game birds. In addition, there are no written management plans for antelope and bighorn sheep in all regions with huntable populations.

Written plans will provide department personnel, habitat managers, other resource agencies, and the public with a clear picture of what the department wants to accomplish with wildlife management. The process of formalizing plans for other hunted species should be continued until complete.

Monitoring Progress

The next step in the process is monitoring progress. An effective management system involves continuous evaluation of objectives and monitoring progress. Measuring progress helps identify areas where objectives are not being met. Decision-makers can then change management strategies to address each situation. Our interviews, observations, and review of documentation indicate the department is not meeting all its objectives.

At FWP, it is neither common practice to monitor and report on progress toward meeting goals and objectives; nor is it common practice to include language on what management strategies will be pursued to try and meet objectives. As a result, the public has expressed concerns that the department is mismanaging wildlife populations and needs to improve its accountability. The department is monitoring progress for some of the species it manages. This process could be strengthened by developing a consistent annual reporting process that emphasizes the current status, progress toward, and steps necessary to meet management plan objectives.

Updating Plans

Once management plans are established and progress toward meeting objectives measured, a process should be initiated to evaluate and update goals and objectives. Wildlife populations and public attitudes can change over time. As such, plans need to be updated to reflect current needs. The department has not established a process for ongoing review and update of wildlife management plans. Some of the management plans currently in place appear to be outdated. In addition, while reviewing plans and reports, we noted instances where objectives do not appear realistic and/or attainable.

In order to maintain credibility and focus staff efforts on current needs, plans should be up-to-date. This will complete the management planning process.

Habitat Management

We examined the division's habitat activities. While the Wildlife Division actively promotes habitat protection and enhancement activities, we noted areas for improvement. The division's weaknesses relate primarily to administrative functions and its ability to demonstrate program success.

Selecting Habitat Projects

The department needs a formal process for selecting Habitat Montana projects. A formal process for identifying potential Habitat Montana acquisitions exists, but the department relies on an informal process for selecting projects. The selection process does not include a quantitative system for evaluating proposals against program criteria. The department does not score proposals based on program criteria or attributes of a proposal. We were unable to determine the value of one proposal in comparison to another based on documentation.

Since the process does not compare the relative value of potential projects or score projects according to identified attributes, the department has limited assurance, or the ability to demonstrate, that the best projects are selected. In addition, available documentation gives the appearance that acquisitions are not reasonably distributed around the state. Twenty acquisitions, accounting for approximately

one-half of the acres and expenditures purchased since 1988, are in one region.

Due to the appearance that distribution of acquisitions may be inequitable, the department needs to provide accountability for its actions. A formalized process will provide more assurance selected projects meet habitat objectives and will improve the department's ability to document and substantiate how and why land is selected for acquisition.

Monitoring Landowner Compliance

The department does not have a system for monitoring landowner compliance with all types of habitat project contracts. Evaluations of the department's Habitat Montana and Upland Game Bird Habitat Enhancement (UGBP) programs identified inconsistent or lack of monitoring of program activities. While the department implemented a system for monitoring Habitat Montana projects (conservation easements) in 1998, it did not develop a monitoring system for UGBP. Instead, the UGBP relies on landowners submitting invoices for project costs and informal monitoring by regional staff. Department staff do not regularly monitor UGBP projects or document monitoring activities.

We identified instances of landowner noncompliance with habitat project agreements. Conservation easements and UGBP projects may include similar land use practices such as implementing grazing systems or restricting livestock grazing or haying in certain areas. Based on the instances of noncompliance identified on conservation easements, the department may experience similar noncompliance on UGBP projects.

The department has directed habitat program resources towards recruiting landowners and developing habitat projects. It has placed a lower priority on monitoring contracts. Given the potential risks of noncompliance and subsequent impact on habitat and wildlife, the department should establish a monitoring system for UGBP projects.

Evaluating Program Success

FWP needs a system for determining whether habitat programs are meeting objectives. This type of system requires establishing measurable goals and objectives and a method for measuring and evaluating achievement of goals and objectives. The department has not developed meaningful or measurable goals and objectives for its habitat programs.

The department relies primarily on previous academic research or other studies to justify the types of habitat projects it funds. We recognize the validity in using existing research as a basis for selecting projects to achieve specific outcomes. An evaluation system, however, provides accountability by measuring whether projects or activities have met intended objectives. The department has sponsored evaluations of specific habitat projects, but evaluations have been on an ad hoc basis, not part of a formal evaluation system.

Public Access

In addition to protecting and enhancing habitat, the department uses habitat programs to secure public access to wildlife populations on private lands. Since the department funds habitat projects with revenues from sportsman licenses and landowners receive tangible benefits from habitat projects, the department usually requires public access to the land.

Statute, administrative rules, and department policies generally require public access to publicly-funded habitat projects. Although all UGBP and most Habitat Montana projects require reasonable public access, the term "reasonable" has not been defined and the department has not consistently defined the term in project contracts. Some conservation easements and all UGBP projects allow landowners to determine the "reasonableness" of public access to project areas. Consequently, landowners may limit public access to friends and family, or restrict public access to a portion of land or a specific time of the hunting season. Furthermore, since most habitat projects have contracts extending from ten years to ***in perpetuity***, the department has no assurance subsequent landowners will grant similar public access if land ownership changes.

The department has observed and acknowledged the benefits of clarifying public access provisions in project contracts. By formalizing and expanding this practice to all contracts, the department can better address public access objectives and provide hunters more assurance landowners will grant access to publicly-funded projects.

Coordination Between Programs

Wildlife and habitat management activities are coordinated at the regional level. At the program level, there is some separation between wildlife and habitat activities. Lack of coordination at the program level limits the effectiveness of providing decision-makers with all available data. Thus, while the FWP Commission is aware of wildlife and habitat activities, it is not fully informed of all management strategies.

Emphasizing coordination between wildlife and habitat strategies at the program level should help increase the effectiveness of management. At a minimum, a system should be implemented to ensure coordination between the managers of the wildlife and habitat programs.

Chapter I - Introduction

Introduction

The Department of Fish, Wildlife and Parks (FWP) is responsible for management of Montana's wildlife and wildlife habitat. Based on comments and concerns from legislators and the general public regarding wildlife management, a performance audit was requested by the Legislative Audit Committee. The Legislative Audit Division (LAD) divided this general topic into three separate audits, each having its own report. The LAD issued the first report in December 1998, the Wildlife Programmatic Environmental Impact Statement Process (99P-01). Another report was issued in December 1999 relating to the Block Management Program (97P-10). This report addresses the Wildlife Division.

Audit Objectives

We reviewed both wildlife and habitat activities conducted by FWP. Our main question was:

"Does the department actively manage Montana's wildlife and habitat?"

In addition to addressing this main objective, we also answered the following questions related to wildlife and habitat management:

- ✓ What are the goals and objectives?
- ✓ What activities are conducted?
- ✓ What data is collected?
- ✓ How is data used for management?
- ✓ Do decision-makers have the data they need to manage?
- ✓ What decision-making processes are related to management?
- ✓ Does file documentation support management and decision-making activities?
- ✓ Are activities and processes consistent with laws, rules, goals, and objectives?
- ✓ Does the department ensure public access to habitat projects?
- ✓ Is there coordination and support between wildlife and habitat management activities?

Audit Scope & Methodology

To address our objectives, we gained an understanding of programs and operations within the Wildlife Division. We compiled information on the general operations of the major programs administered by the division.

While the audit was not restricted to an individual species, biologists appear to spend most of their time with big game species. Most of the comments the Legislative Audit Committee and LAD received in support of this audit relate to big game species. Because of these factors, we focused on deer, elk, and antelope while conducting fieldwork; however, we remained aware of activities with other species including bighorn sheep, mountain goats, moose, and upland game birds and waterfowl, especially if they impacted the workload of regional staff.

In general, our audit period covered fiscal year 1997-98 (July 1, 1997 through June 30, 1998) and most of fiscal year 1998-99. We gathered and reviewed information outside this audit period as needed to satisfy the audit objective.

We identified the division's goals and objectives for various activities. We gathered and reviewed laws and rules, and legislation from the 1999 Legislative Session to note any pending changes. We attended several meetings, both regional and Fish, Wildlife and Parks Commission, to observe operations.

We visited all seven FWP regional offices. We interviewed 20 management biologists, one research biologist, and all seven wildlife managers. Other FWP biologists were provided an opportunity to contact us with comments and concerns. We asked regional personnel questions related to our audit objective. Where possible, we observed field activities of the biologists. We sent letters to 128 wildlife organizations, gun clubs, and sportsman groups to inform them of the audit and ask for input regarding division activities. We received nine responses. A similar letter was transmitted to the five FWP Commissioners.

We reviewed the department's data collection techniques and decision-making processes regarding wildlife and habitat. We identified all activities conducted by biologists related to wildlife management, including survey and inventory of wildlife and setting seasons and quotas for hunting. We reviewed documentation submitted by biologists for deer, elk, and antelope for the 1997 and 1998 hunting seasons. We reviewed management plans for various species and determined how these plans are used for decision-making. Regional reports on management activities were also reviewed and compared to management plan objectives.

For habitat, we identified and evaluated department activities for preserving and enhancing wildlife habitat. We reviewed goals for the various habitat programs and identified processes used to determine whether goals are met. We determined how the division identifies and establishes priorities for managing habitat. We determined if the division bases habitat decisions on established criteria and whether there is documentation supporting these decisions. We compared activities and processes for wildlife management with those for habitat management to determine interaction and support. We also evaluated the department's processes for securing public access to habitat under its control.

As part of our audit, we reviewed findings from several contracted reviews of FWP habitat activities. We also contacted five neighboring states to compile comparative information regarding wildlife and habitat management. A summary of other states' activities is presented in Appendix A.

This audit was conducted in accordance with governmental auditing standards for performance audits.

Scope Exclusions

During audit planning we obtained information on all division activities. After reviewing this preliminary information, we excluded specific areas from our audit scope. Our audit work did not include a review of:

- Small game (furbearer animals), nongame (species not usually hunted), and threatened and endangered species. The main reasons for not reviewing these operations were small program size, lack of public concerns, and/or federal government involvement.
- Migratory birds. We did not conduct an in-depth review of migratory birds because the United States Fish and Wildlife Service provides a framework for states to follow for management.
- Wildlife laboratory. This activity is an important and logical element of a wildlife program, but it is not a major function of the division in terms of dollars.
- Research projects. A review of research projects was not included as part of our audit due to the specificity and long-term nature of individual projects.
- Game Damage Assistance Program. Game damage is the responsibility of some biologists. However, the program is not within the Wildlife Division.

Compliance

We examined department compliance with laws and rules throughout the audit. Testing focused on significant requirements for wildlife and habitat management. Generally, we found FWP is in compliance with state laws and administrative rules. An issue related to habitat management is discussed further in Chapter IV.

Management Memorandums

We identified two issues during the audit relating to division activities which we believe warrant management attention. We presented suggestions to division management for possible operating improvements.

Update WMA Management Plans - FWP has management responsibilities for land it owns or leases. These lands are commonly referred to as Wildlife Management Areas (WMA).

WMA management plans are developed with the purchase or lease of land. Some of these plans are outdated. We recommend the department update WMA plans on a regular basis.

Coordinate Activities with NRIS Database Information - The Natural Resource Information System (NRIS) and other database systems contain wildlife and habitat information. Increased use of NRIS and other database information for wildlife and habitat management may improve the effectiveness and/or efficiency of existing processes. We recommend the department evaluate possibilities for using this type of information for ongoing wildlife and habitat management.

Issue for Further Study

During the course of this audit, we identified an area within FWP as a potential issue for further study. The following section discusses this area and potential concerns.

Alternative Livestock Ranches

An alternative livestock ranch or "game farm" is defined as "the enclosed land area upon which alternative livestock may be kept for purposes of obtaining, rearing in captivity, keeping, or selling alternative livestock or parts of alternative livestock." Alternative livestock include deer, elk, moose, antelope, bighorn sheep, mountain goat, and any other cloven-hoofed ungulate. As of April 1999, there were 87 licensed game farms in Montana. Both FWP and the Department of Livestock have statutory responsibilities for various aspects of game farm operations. According to section 87-4-408, MCA, both agencies have primary jurisdiction over inspection and enforcement. A future study could review dual management and the potential for conflicting goals, the effectiveness of the program, impacts on wildlife and habitat, including chronic wasting disease, and whether fees are commensurate with costs.

Report Organization

The remainder of this report is divided into five chapters. Chapter II provides general background information on Wildlife Division activities. Chapters III and IV outline our findings and present audit recommendations regarding wildlife management and habitat management respectively. Chapter V provides information and recommendations related to access to habitat projects. Finally, Chapter VI discusses coordination between wildlife and habitat management activities.

Chapter II - General Background

Introduction

Section 87-1-201(1), MCA, assigns responsibility for supervision of all Montana's wildlife, fish, game and nongame birds, waterfowl, and game and furbearer animals to the Department of Fish, Wildlife and Parks (FWP). The mission of the department is:

> "Montana Fish, Wildlife & Parks, through its employees and citizen commission, provides for the stewardship of the fish, wildlife, parks and recreational resources of Montana, while contributing to the quality of life for present and future generations."

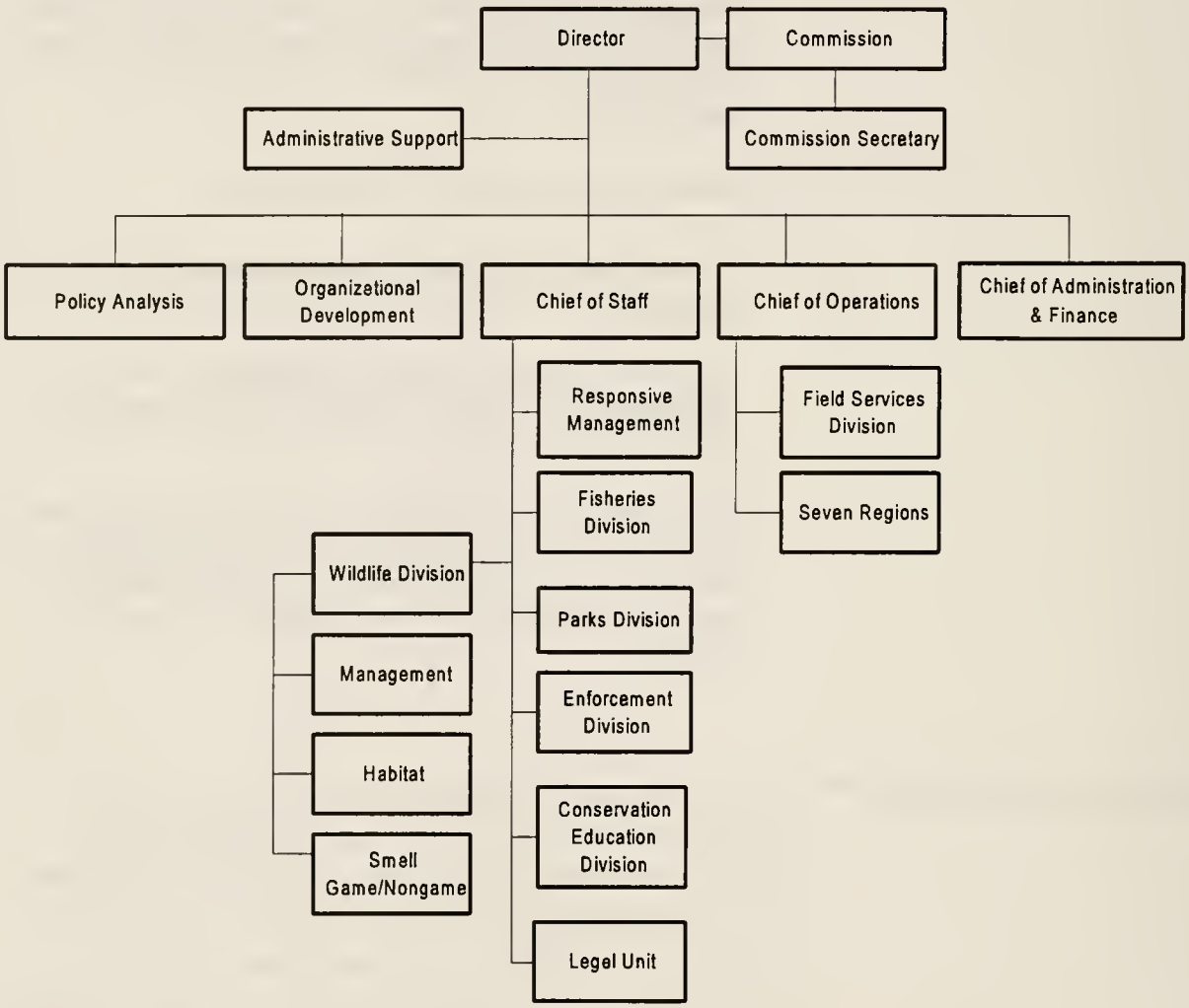
The department established the following goals:

> "Provide quality opportunities for public appreciation and enjoyment of fish, wildlife and parks resources."
>
> "Maintain and enhance the health of Montana's natural environment and vitality of our fish, wildlife, cultural and historic resources through the 21st Century."
>
> "Emphasize education, communication and responsible behavior to afford citizens the opportunity to better understand and participate in the decision-making processes that sustain our natural, recreational and cultural resources for future generations."

FWP Organization & FTE

FWP is a partially decentralized agency. The department has headquarters in Helena and seven regional offices throughout Montana. Programs are coordinated in Helena and implemented through the seven regions. The department's Chief of Staff has oversight responsibilities for programs located in Helena. The Wildlife Division is one of seven functions under the Chief of Staff. Three bureaus are in the Wildlife Division: 1) Habitat, 2) Management, and 3) Small Game/Nongame. The seven regions operate under the department's Chief of Operations. A supervisor administers each region and is responsible for all FWP activities within the region. The department's organizational structure is shown in Figure 1.

Figure 1
Fish, Wildlife and Parks Organizational Chart
(as of October 1999)



Source: Compiled by the Legislative Audit Division from department records.

There are a total of 97 FTE within the Wildlife Division. Wildlife managers and biologists in the regions are responsible for conducting day-to-day activities regarding wildlife and habitat management. The Wildlife Division has two types of biologists: management and research. Management biologists have general responsibilities for numerous wildlife and habitat activities. Research biologists conduct special studies of individual species in specific areas. Regional FTE include 36 management biologists and 5 research biologists.

FWP Commission

Section 87-1-301, MCA, directs the FWP Commission to set policies for the protection, preservation, and propagation of the state's wildlife, fish, game, furbearers, waterfowl, nongame species, and endangered species. This law also directs the FWP Commission to establish various rules including hunting, fishing, and trapping, and to review and approve certain actions of the department.

Wildlife Division

The Wildlife Division is responsible for wildlife and habitat management. According to division reports, programs protect, regulate, and perpetuate wildlife populations; maintain and enhance wildlife habitat; provide wildlife recreational opportunities; and provide information on conservation of wildlife populations and habitats. The division is involved in numerous activities. In general, these include:

- Monitoring the status of wildlife and habitat.
- Maintaining and enhancing wildlife habitat.
- Providing opportunity for public enjoyment of wildlife.
- Providing public education about wildlife management and recreation.

The following paragraphs describe division activities.

Management Bureau Programs

The Management Bureau has two sections: 1) research and technical services, and 2) special projects and environmental review. There are three areas under the research section:

- Long-term research. Research biologists are responsible for long-term research. Research results are used for wildlife and habitat management. Most research projects last anywhere from seven to ten years.

- Wildlife laboratory. The lab, located in Bozeman, is involved in various activities such as wildlife age analysis, disease surveillance, biological collection, court testimony, etc. The lab is also involved with research projects.

- Hunting and harvest survey. The department surveys resident and non-resident hunters, by telephone, to obtain harvest information. Information obtained from surveys is published, by species, in annual reports. This data is provided to FWP personnel for use in managing wildlife.

The second section under the Management Bureau is special projects and environmental review. This section was assigned responsibility for coordination and development of the Wildlife Programmatic Environmental Impact Statement completed in 1998. Special projects include legislative contract authority (budgeting, establishing, and monitoring all contract projects) and writing the federal grant application for the wildlife program. This section is also responsible for the Upland Game Bird Habitat Enhancement Program.

The bureau is also responsible for issuing one male bighorn sheep license and one male Shiras moose license each year through a competitive auction. Proceeds are used for the benefit of mountain sheep and moose, respectively.

Wildlife Management Activities

There are two main activities conducted by division and regional personnel regarding wildlife management: 1) survey and inventory, and 2) season setting. Survey and inventory involves counting and classifying various species and collection and analysis of data on the characteristics, interrelationships, and dynamics of wildlife populations. Biologists are involved in numerous activities to accomplish these responsibilities. The main activities include aerial and ground surveys, data and trend analysis, check station monitoring, and discussions with landowners, hunters, and the general public.

The other main activity is season setting. Hunting and trapping seasons and quotas are established for all species managed by the department. Biologists use data and information collected during the survey and inventory process to determine whether changes are needed in current hunting seasons and quotas. Recommendations for changes then proceed through various levels of review and approval. The FWP Commission has final approval over hunting seasons and quotas.

Other Activities

Biologists also have technical guidance and information and education responsibilities. These include talking with and answering questions from other agencies, sports persons, and the general public. Biologists are responsible for reviewing and commenting on plans proposed by other entities which may impact wildlife and habitat. These include timber harvests, road building, road closures, and subdivision development.

Habitat Bureau Programs

The Habitat Bureau manages two programs designed to cooperate with private and public landowners and land managers for protecting and enhancing wildlife habitat. The programs for protecting and enhancing habitat are:

- Habitat Montana
- Upland Game Bird Habitat Enhancement Program

Habitat Montana focuses on protecting and preserving critical wildlife habitat. The Upland Game Bird Habitat Enhancement

Program focuses on enhancing existing habitat for upland game birds.

This bureau contains a full-time position responsible for designing rest/rotation grazing systems throughout the state. According to division personnel, rest/rotation grazing systems have been proven to benefit wildlife habitat. There is also a full-time plant ecologist position responsible for monitoring vegetation on department-owned land.

Other Division Programs

The Wildlife Division has responsibilities in addition to the programs and activities discussed above. However, these other programs were not included within the scope of this audit.

- Migratory Bird Management – includes waterfowl (ducks, geese, swans) and webless game birds (doves, cranes, coots, and common snipes).
- Furbearers – includes animals whose pelts have some economic value (beaver, mink, bobcat, wolverine, etc.).
- Nongame – includes species of special interest or concern that are usually not hunted/trapped (mammals, birds, reptiles, amphibians, and fish).
- Threatened and endangered species – includes species threatened with extinction (grizzly bear, black footed ferret, etc.).
- Watchable Wildlife Program – an educational/public awareness program.

Wildlife Division Funding

The Wildlife Division is funded by a mix of federal and state special revenue funding. State special revenue funding consists primarily of hunting and fishing license revenue, while federal funding comes from Pittman-Robertson Act funds. Budgeted fiscal year 1998-99 expenditures for the Wildlife Division were $10.6 million. Approximately $6.8 million was budgeted for operations and personal services (day-to-day management) and $3.8 million was for

capital expenditures (major repair and maintenance of property, renovation/construction of facilities, protection/enhancement of habitat).

Each region has its own budget. The following table provides a breakdown of operations and personal services expenditures for fiscal year 1998-99.

Table 1
Wildlife Division Operations and Personal Services
(actual expenditures FY 1998-99)

REGION	EXPENDITURES
Kalispell (1)	$867,989
Missoula (2)	$412,633
Bozeman (3)	$978,834
Great Falls (4)	$679,721
Billings (5)	$294,998
Glasgow (6)	$559,636
Miles City (7)	$299,699
Headquarters	$3,011,433
Total	**$7,104,943**

Source: Compiled by the Legislative Audit Division from SBAS.

Chapter III - Wildlife Management

Introduction

The Department of Fish, Wildlife and Parks (FWP) is responsible for managing Montana's wildlife. FWP assigned responsibility for carrying out this statutory duty to the Wildlife Division. This chapter describes the division's wildlife management activities and includes recommendations for improving the department's wildlife management operations.

FWP Is Managing Montana's Wildlife

Overall, we found FWP is managing wildlife. The definition of management within department-related statutes (section 87-5-102(4), MCA) reads as follows:

> "'Management' means the collection and application of biological information for the purposes of increasing the number of individuals within species and populations of wildlife up to the optimum carrying capacity of their habitat and maintaining such levels. The term includes the entire range of activities that constitute a modern scientific resource program including but not limited to research, census, law enforcement, habitat improvement, and education. Also included within the term, when and where appropriate, is the periodic or total protection of species or populations as well as regulated taking."

This section of law goes on to define optimum carrying capacity as:

> " . . . that point at which a given habitat can support healthy populations of wildlife species, having regard to the total ecosystem, without diminishing the ability of the habitat to continue that function."

Finally, this law defines an ecosystem as:

> " . . . a system of living organisms and their environment, each influencing the existence of the other and both necessary for the maintenance of life."

This statutory definition of management applies to all species managed by the Wildlife Division. Laws also state FWP and the FWP Commission are responsible for the protection, preservation, and propagation of wildlife.

Hunting Is FWP's Main Management Strategy

The Wildlife Programmatic Environmental Impact Statement (EIS) indicates the current wildlife program emphasizes hunting as a traditional strategy for managing Montana's game species. Even though there are other methods of management, such as habitat protection and trapping/transplanting, hunting is by far the department's main strategy. In general, when setting harvest levels, the department strives for a balance between hunting opportunity and landowner tolerance of the number of wildlife. Within this management strategy, the department operates to maintain the viability of wildlife populations.

The department and FWP Commission established rules and policies for wildlife management. Biologists survey wildlife populations, compile information on population trends and hunter harvest, talk with hunters and landowners, and make recommendations to the FWP Commission regarding changes to hunting seasons and quotas. A process exists for setting hunting seasons and quotas, which includes public input. Management plans exist for the top priority species including mule deer, elk, black bear, and mountain lion. These management plans include objectives for population size and composition, harvest, and/or habitat. For deer, the department incorporated adaptive harvest management techniques to assist with setting hunting seasons and quotas.

Conclusion: FWP's Activities Comply With the Law

Comparing the department's activities with the definition of management indicates the department is complying with the law. While some things are out of the department's control, such as weather and access to private land, it established policies and procedures to protect wildlife. Biological information, harvest data, landowner and hunter input, research, and other information is collected and used to regulate hunting. Hunting regulations are established and enforced by the department and Commission, which may include closing seasons for certain species. Habitat improvement projects are completed around the state. These activities are conducted with the intent of maintaining or increasing wildlife populations. An ecosystem includes wildlife and habitat, as well as humans. Thus, the optimum carrying capacity of the habitat

balances the needs of wildlife and humans. The department's strategies attempt to accomplish this.

Wildlife Management Activities

The following sections describe the department's main wildlife management activities, including setting seasons and quotas for hunting and surveying wildlife populations. Also included are areas where we believe improvements can be made.

Season Setting Process

One of the department's main functions related to wildlife management is the season setting process. Population information and other data are used to determine hunting quotas and seasons for each managed species. The department has hunting and/or trapping seasons for the following species:

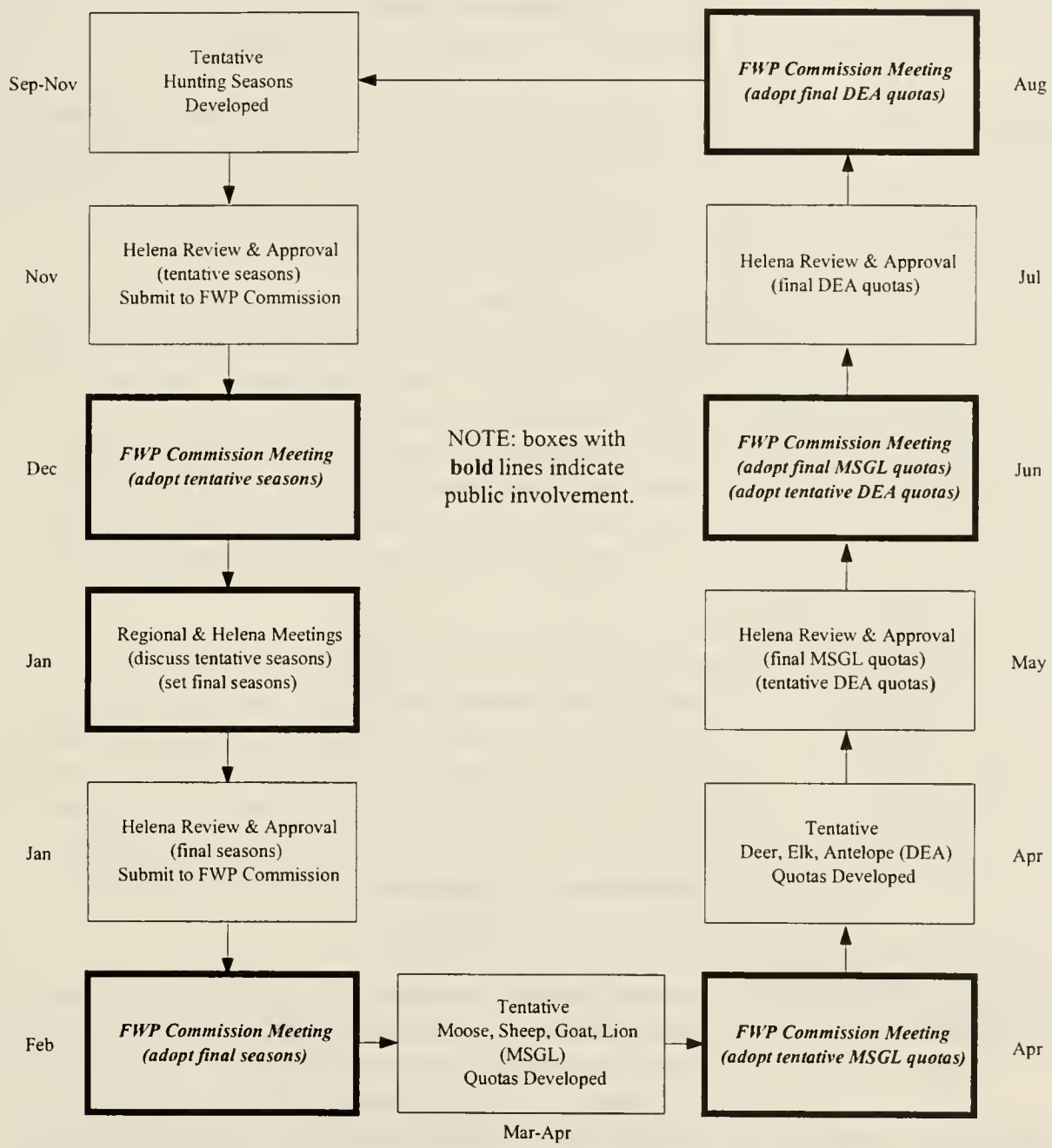
- Deer
- Elk
- Antelope
- Moose
- Bighorn sheep
- Mountain goat
- Mountain lion
- Black bear
- Upland game birds
- Migratory birds
- Furbearers

For big game species and furbearers, recommendations for changes are initially made by biologists on a justification form. The justification form is used to document:

- Proposed change and summary of prior years.
- Reason for proposed change and how it relates to population and habitat objectives.
- Pertinent information related to weather, habitat, access, etc.
- Contacts made with landowners, sportsmen, or organized groups.

The wildlife manager and regional supervisor review and approve regional recommendations. Regional recommendations are reviewed and approved by Wildlife Division personnel and the FWP Director. Finally, the FWP Commission reviews and approves all recommendations. Recommendations may be changed or eliminated during any of these reviews. Hunting quota and season recommendations reviewed by the FWP Commission include an opportunity for public comment. A flowchart of the season setting process is shown in Figure 2.

Figure 2
FWP Season Setting Process
(deer, elk, antelope, moose, sheep, goat, lion, bear, upland game bird)



Source: Compiled by the Legislative Audit Division from department records.

Management Actions Should Be Documented for Increased Accountability

In today's public environment, there is more interest in natural resource management. This creates an atmosphere of changing public attitudes, new legislation, special interest groups, interagency involvement, etc. According to the Record of Decision for the Wildlife Programmatic EIS (April 1999), the need for the programmatic review included the following:

- The public is demanding increased involvement in resource decisions and increased FWP accountability.
- FWP faces expanded responsibilities and a need to define, coordinate, and defend management decisions.

Planning provides a structured approach to help clearly define the department's intentions for wildlife management. The department established objectives for some wildlife species. Justification forms, which reference objectives, are required to support recommendations for changes in hunting. Decisions on final hunting seasons and quotas are made by the FWP Commission at public meetings. These actions indicate the department's intention for "management by objectives." Documentation is critical to this process.

Lack of data and documentation lessens the department's accountability. Without documentation, individuals involved with or interested in wildlife management will not have a clear idea and understanding of department plans, actions, and decisions. This can create a situation of doubt and distrust. Most of the comments received by our office in support of an audit of the department indicated concerns with management actions, and some made accusations of mismanagement.

What Documentation Does FWP Maintain?

We asked two questions related to documentation of the season setting process. The first was "Does file documentation support the activities department personnel said they follow?" The answer to this question is yes. File documentation includes survey and inventory data, justification forms, reports, management plans, and other information and data. The FWP Commission reviews and

discusses recommendations for changes to seasons and quotas and provides final approval within a public forum. While this review and approval is not completely clear, there was enough information in the files to verify the process occurs. In addition, we attended several FWP Commission meetings in which various tentative and final seasons/quotas were reviewed and approved.

Season Setting Documentation Is Confusing and Incomplete

The second question we asked was "Is file information complete and understandable?" The answer to this question is no. Season setting documentation maintained by the Wildlife Division is confusing and incomplete. Justification forms are not present for all changes made to seasons and quotas. Changes are made to seasons and quotas that differ from justification forms, but files do not contain documentation explaining why the original recommendation was not followed. We also noted recommendations in justification forms that were not approved by the FWP Commission, and again the documentation does not indicate why. In addition, justification forms do not include specific dates for when the recommendations were made.

We reviewed 23 deer, 41 elk, and 23 antelope justification forms from the 1998 hunting season. Some quota changes were not identical to the original recommendation. In addition, we noted changes to quotas/seasons that did not have a justification form supporting the change. There were 11 quota changes for elk and 5 for antelope that varied from the original recommendation. We noted 5 changes to deer quotas that did not have a justification form supporting the change. We also noted 14 changes to elk regulations without supporting documentation, but none of these were quotas; they were changes to dates, locations, or species sex. We did not review all 1997 justifications for these occurrences, but we noted at least 20 quota changes for elk and antelope which were not identical to the original recommendations. We also noted 19 quota changes without a justification form for deer and 1 for elk for 1997.

It was not possible to determine when justifications were completed and why changes were made to the original recommendations. This

was also true for the justifications we noted where the recommended change was not made.

The Wildlife Division is responsible for managing Montana's wildlife. The main tool used in this regard is hunting. The division developed and implemented a process to set seasons and quotas for hunting managed wildlife. Decisions to change a season and/or quota require a justification form describing the need for the change and how it relates to population and habitat objectives. Initial recommendations require reasons for changes, so subsequent modifications, made at any level, should also document reasons for the changes and how they relate to objectives.

By statute, the FWP Commission has authority to fix seasons, set bag limits, set season limits, open or close seasons, restrict areas, declare special seasons, etc. In other words, the FWP Commission has authority to set and change all hunting seasons and quotas. While it is not common for the FWP Commission to change recommendations or devise its own quotas, it has happened in the past. Because of this, documenting these and other changes is important for ongoing management.

Management Objectives Are Not Always Included in Documentation

Not all justification forms provide information on management objectives and how they relate to the recommended changes; yet management by objectives is the process used by the department for managing wildlife. For the 1998 hunting season, only 66 percent (27 of 41) of the elk justification forms mention the elk management plan or some other objectives. The number mentioned for antelope was 14 of 23 (61 percent), and the number for deer was 19 of 23 (83 percent). Those that do mention objectives usually only refer to population size and not other objectives like harvest and habitat. We also noted justifications that mention objectives that are not part of the written management plans. This included eight justifications for elk and two for antelope.

The division established written objectives for some of the species it manages and it appears there are informal objectives for other species. When changes to seasons and/or quotas are needed, the

recommendations should be based on objectives. Changes in seasons and/or quotas should be made to ensure the division meets its objectives. In addition, the fact there are no formal plans and objectives for some species increases the need for clearly documented decision-making.

Changes to Seasons/Quotas Need to Be Documented

Wildlife management is conducted on a long-term basis. The department monitors wildlife populations and adjusts seasons/quotas based on observations. Trends are reviewed and used to make decisions. If the reasons for making changes and decisions are not properly documented, future decision-makers will not have the information needed to determine what worked and what did not work in meeting objectives. Wildlife organizations, sportsman groups, other agencies, and the general public will not have documentation to support and clarify department actions.

There is no single document for tracking changes, nor is there a summary of changes made during the season setting process. Three division personnel attend FWP Commission meetings and keep notes. These notes are the division's documentation of the season setting process. In addition to division notes, the FWP Commission's secretary tapes meetings and transcribes minutes. Numerous changes are recommended which affect different species at various times throughout the season setting process.

Division personnel do not usually refer to the notes and tapes taken during the process. According to division personnel, past minutes were not always accurate and/or did not provide complete details of meetings. Division personnel rely on memory to determine what happened and why. However, during our review we asked one of these individuals questions about the notes in the files but they could not remember specifics about why changes were or were not made. Future managers and FWP Commissioners will need an understanding of what was done and why. Most of the supervisors and managers within the division are within several years of retirement. In addition, the terms of several of the current FWP Commissioners are coming to an end. File documentation is critical

for providing a clear history of the decision-making processes for all wildlife management.

Summary: Changes Are Needed in the Season Setting Process

We believe the department should implement two changes to its season setting process. First, the department should maintain a complete history of all decisions made during the season setting process. This will provide a valuable source of information for future decision-makers working on seasons and quotas and their impact on wildlife populations. Secondly, the department needs to implement procedures to help ensure required information is included in all justification forms. This should include dates completed, management objectives addressed, or reasons why objectives are not applicable. Revamping the justification form may be a way of doing this. These changes should improve the process and increase accountability by providing a clear record of decisions for future wildlife managers and the public. In addition, information can be used to determine how decisions impact wildlife populations and management.

Recommendation #1
We recommend the department:

A. Properly document wildlife management decisions made during the season setting process.

B. Develop a system to ensure justification forms include all necessary information, especially in relation to management objectives.

Survey and Inventory of Wildlife Populations

The other main activities of wildlife management are survey and inventory. Biologists survey wildlife populations to count the number of animals seen and to classify these animals as male, female, and young-of-the-year. Survey information is used to determine population composition ratios and trends and, at times, to estimate the total population of a particular group of animals. This information is used to determine whether there should be changes in harvest seasons/quotas.

Surveys of big game species are conducted at various times during the year. Deer surveys are done in the winter to determine how many new animals were born the previous summer (production) and in the spring to determine how many new animals survive the winter (recruitment). Most other big game species are usually only surveyed once per year, and not necessarily at these times. For example, antelope surveys are usually conducted in July. Surveys, in most instances, are conducted around the same time period each year and over the same geographic locations. This type of data has been collected for decades and in some instances exists back to the 1950s. There are times when surveys are not conducted, usually as a result of bad weather or unavailability of aircraft used to observe animals.

For other big game species such as bighorn sheep, mountain goat, and black bear, surveys are not usually conducted annually and are normally done in conjunction with a deer or elk survey. Mountain lion and moose are not normally surveyed. In addition to big game surveys, biologists conduct winter track surveys of furbearers, upland game bird surveys, and some less common surveys of species such as raptors.

Other Data Collection Activities

Biologists in the regions are also involved with other activities, several of which relate to data collection. During the general big game hunting season, biologists operate game check stations. During operations, biologists talk with hunters and obtain information and data on harvested animals. Hunters are required to bring harvested mountain lions and black bears to the local FWP office for inspection by biologists. Hunters are also asked to send in the lower jaw of harvested moose. In addition, the department conducts an annual survey to collect harvest data. These activities provide the department with data on wildlife distribution, composition, age, and/or harvest.

The department is required by statute to respond to complaints of game damage and to provide assistance to eligible landowners that allow public hunting or do not significantly reduce public hunting by

imposing restrictions. This activity provides the department with informal information on population levels and distribution.

Conclusion: Data Collection Activities Are Consistent and Similar to Other States

We reviewed data collection activities conducted by wildlife management biologists. Based on our review, data collection activities are consistent across the state. Biologists conduct the same types of surveys and collect similar information. The information collected is used in setting hunting seasons and quotas. The types of surveys conducted and information collected by biologists appear to be consistent with standard practices for collecting wildlife population information. In addition, Montana's surveys and data collection activities are similar to methods used by other states for wildlife management.

Biologists Could Use Weather Data to Support Conclusions

The most common response given by biologists to the question of what impacts wildlife populations the most is weather and habitat. While weather data is summarized by some biologists, it is not being analyzed to determine impacts and trends on wildlife populations. Habitat data is also not compiled and analyzed on a regular basis, which is discussed later in Chapter IV.

The department and the FWP Commission should have relevant data available for use in managing wildlife populations. Biologists regularly analyze trends in populations. Weather trends could also be analyzed and compared to population fluctuations to help support conclusions and make management decisions.

As part of mule deer management, the department is developing a computer model. This model will be used to predict population responses to certain factors, including weather. Several other states, including Wyoming and Colorado, use weather data as part of wildlife management.

Weather Can Cause Impacts

The department routinely reports on the status of populations and often includes weather as a probable cause for impacts. Department personnel believe weather has a major impact on populations. Using weather data to support this claim will increase the department's accountability. Some of the comments our office received requesting this audit related to lack of support for conclusions made by department personnel regarding weather and its impacts on mule deer populations. Correlating weather data with population trend data will provide the department with documentation to help justify this type of conclusion.

In the past, weather data was not readily available or was not consistently collected. Currently, weather data appears to be available and can be obtained through databases compiled by other sources. Compiling and analyzing weather data should help improve wildlife management by providing decision-makers with more information to help identify population changes and predict future impacts.

Recommendation #2
We recommend the department evaluate the potential for using weather data to document impacts and support conclusions.

Harvest Statistics Are Also Important

Another important element of wildlife management is harvest data. The department collects harvest statistics through an annual survey and annual check station operations. Harvest statistics provide information on hunters and animals harvested. Data includes number harvested, age, sex, and location. The reports compiling the results of the annual surveys for deer and elk have not been completed since 1996.

Reports Were Not Created

FWP's computer programmer responsible for completing harvest statistic reports passed away in 1996. Specific details on how the programs functioned were not documented, so the system could not operate. As a result, the reports for deer, elk, antelope, black bear, mountain lion, and upland birds were not created for 1996, 1997, and 1998.

While we understand the reasons for past delays in the harvest survey reports, problems are continuing. Harvest statistics are used by biologists as part of ongoing management. Harvest data is compared to survey data to help determine seasons and quotas. This is not the only data available to biologists, but it is an important factor in wildlife management decision-making. The annual reports compiled by biologists throughout the state have not been completed due to lack of harvest statistics. In addition, department personnel cannot report on compliance with harvest objectives without the data.

Department personnel are working on creating a new database. The department is also making progress toward distributing survey reports. Draft deer reports for 1996, 1997, and 1998 were distributed. According to a division official, raw data from the 1998 elk survey was distributed, even though the report was not as detailed as, or comparable to, the 1995 and earlier reports. The department is taking steps to address this situation. Providing harvest survey data to decision-makers is the first step. Further actions by the department to ensure future data is available should help improve wildlife management overall.

Recommendation #3

We recommend the department establish a process to ensure statewide harvest survey data is available to decision-makers on an annual basis.

Species Management Plans

FWP has various plans related to specific species management. There are statewide management plans for deer and elk. The department completed environmental impact statements for management of black bears and mountain lions and intends to develop management plans for both species. In addition to these statewide documents, there are several regional plans: one region has its own elk, antelope, and bighorn sheep plans, and another region also has a bighorn sheep plan.

Plans are intended to guide department personnel in managing wildlife species. For example, the Elk Management Plan, implemented in January 1992, includes statewide habitat, population, recreation, and game damage management strategies, as well as specific hunting district objectives. Elk are managed by units associated with elk migration patterns. As a result, objectives are usually associated with numerous hunting districts.

In October 1998, the department initiated a process to incorporate adaptive harvest management concepts into deer management. This process has four components:

- Population objectives – establishing objectives for management.
- Monitoring – measuring attainment of objectives.
- Hunting regulation alternatives – defining standard, restrictive, and liberal hunting seasons based on monitoring results.
- Description or model of population dynamics – for use in predicting responses to significant factors.

The department's deer plan includes population indicators as objectives. Standard, restrictive, or liberal hunting seasons are based on population survey results and harvest statistics.

Written Management Plans Needed

Written management plans are needed in some regions. There are no management plans for mountain goat, moose, or upland game birds. In addition, there are no written management plans for antelope and bighorn sheep in all regions with huntable populations.

A strategic plan includes goals, objectives, and strategies and provides for structured decision-making and continuity of operations. Written objectives will help increase the effectiveness of wildlife management by clearly defining plans for everyone involved in the process. Written plans will provide department personnel, habitat managers, other resource agencies, and the public with a clear picture of what the department wants to accomplish with wildlife management.

Formal Plans Are Important

While individual biologists may have informal goals and objectives, these may not be clear to other department personnel and/or the public. Individual biologists can say they are managing for certain objectives, but if these are not written, management actions could lead to disagreement within the department and with the public. There could also be conflicting strategies and actions among department staff. For example, elk can migrate from one region to another. The biologist in one region may be managing for bigger bulls while the biologist in the other region may be trying to reduce the population. As another example, increases in hunting pressure on elk and bighorn sheep in regions 6 and 7 is becoming an issue. Plans to address these issues are important for ongoing wildlife management.

FWP personnel are familiar with the populations they monitor and what they want to accomplish in regard to management. However, many of the personnel we talked with said they only had objectives and strategies "in their minds." The department developed written plans for some of the species it manages. Thus, it has placed importance on formal plans. The process of formalizing plans for managed species should be continued until complete. The department could use statewide plans or might develop plans on a regional basis. Whichever method is used, plans are only needed for the species that are hunted.

As part of its strategic planning process, the department completed the Wildlife Programmatic EIS. The department is now in the process of developing a six-year plan. Annual work plans will then be developed to guide department personnel. The department could use this process to continue developing formal plans for the species it manages. This could include developing a schedule with regard to species prioritization that could then be incorporated into the long-range goals for wildlife management.

Recommendation #4
We recommend the department continue formalizing plans for species it manages.

Monitoring Progress Is Also Important

The next step in the planning process is monitoring progress. An effective management system involves continuous evaluation of objectives and monitoring progress. Measuring progress helps identify areas where objectives are not being met. Decision-makers can then change management strategies to address the situation.

During our audit, we reviewed reports used to evaluate the status of wildlife populations. All reports include population and trend data, but only some of the reports include language regarding objectives and where the region is in relation to meeting the objectives. For those reports that measure against objectives, only a couple mentioned plans or recommendations for what they were going to do to try to meet objectives.

Objectives Not Being Met

Our interviews, observations, and review of documentation indicate the department is not meeting all its objectives. Some populations are below objectives in the various plans while others are above objectives. There is no process in place to indicate what the department intends to do to address these situations. For example, the Record of Decision for the final EIS on management of black bears indicates only 4 of 26 black bear hunting districts are meeting management targets. There is no documentation indicating plans for bringing the other 22 districts into compliance.

It is not common practice to monitor and report on progress toward meeting goals and objectives. Nor is it common practice to include language on what management strategies will be pursued to try and meet objectives. As a result, the public has expressed concerns the department is mismanaging wildlife populations and needs to improve its accountability. The department is monitoring progress for some of the species it manages. This process could be strengthened by developing a consistent annual reporting process that emphasizes where the agency stands and what it plans to do with regard to meeting management plan objectives.

Recommendation #5
We recommend the department modify the current annual reporting process to include monitoring and reporting on progress toward meeting objectives and strategies for achieving objectives.

Management Plans Should Be Updated

Once management plans are established and progress toward meeting objectives measured, a process should be initiated to evaluate and update goals and objectives. Wildlife populations and public attitudes can change over time. As such, plans need to be updated to reflect current needs. Evaluation of plans provides feedback on whether goals and objectives are realistic and attainable. Plans should reflect current needs and/or practices. We reviewed FWP procedures for ongoing review and update of wildlife management plans. The department has not established a process to accomplish this task.

Some of the management plans currently in place appear to be outdated. The elk plan was written in 1992 and evaluated in 1996. The black bear EIS was completed in 1994. Some regions use a statewide plan written in 1986 for managing species such as antelope and upland birds.

Some Objectives Do Not Appear Realistic

While reviewing plans and reports, we noted instances where objectives do not appear realistic and/or attainable. For example, one region has a harvest objective for mule deer of 31,000. The 20-year average harvest presented in the annual report is 15,137. The graph representing the mule deer harvest for this region indicates only two years in which the objective was either met or exceeded. Regional personnel indicate the deer are present, but access limits hunters ability to harvest the deer. Whatever the reason, the objective is not realistic for the current situation.

Another example is the Tendoy Elk Management Unit (EMU). The EMU encompasses three hunting districts in Region 3, has a population objective of 1,800-2,300, and the current population estimate is 2,976. There is no mention in the report of how wildlife managers are going to bring the EMU down to the objective or if the objective is unrealistic and should be changed.

In addition, one region has its own elk plan. In general, the regional elk plan is comparable to the statewide elk plan; however, there are some conflicts between the two plans. Some of the objectives from the statewide elk plan were modified or are not included in the regional elk plan. For example, the Missouri River Breaks EMU has a population objective of 2,700 in the statewide plan. This EMU includes nine hunting districts in three regions (4, 6, and 7). The Region 6 Elk Management Plan does not include a population objective; however, other documentation from the region indicates an objective of 1,600 to 1,900. A statewide review of elk plan objectives completed in 1997 indicates a proposed objective of 3,950 to 4,700 for the EMU. There are no separate elk plans for Region 4 and Region 7, which both have viable elk herds.

While we did not identify any significant impacts due to outdated or unrealistic plans, these can have a negative impact on operations. Decision-makers are relying on less than adequate information and/or conflicting information on management strategies. Department personnel and the public can become confused and frustrated if objectives are unrealistic and can never be attained.

Management plans are important. In order to maintain credibility and focus staff efforts on current needs, plans should be up-to-date. Again, the department could use the six-year planning process to establish priorities for updating plans. This will complete the management planning process.

Recommendation #6

We recommend the department establish and implement a process for reviewing and updating management plans on a regular basis.

Summary: Increased Planning Should Improve Wildlife Management

In summary, the department is managing Montana's wildlife. However, there are some areas where the department could strengthen its wildlife management operations. First, the season setting process should be more clearly documented so informed decisions can be made. In addition, the department could improve its wildlife management process by increasing emphasis on long-term planning by setting goals and objectives, monitoring progress, and updating plans on a regular basis. The department is actively pursuing these activities to some extent. An increased emphasis on planning should result in a more proactive approach and should lead to better management by objectives. We believe our recommendations will also improve the department's accountability by more clearly defining and documenting management strategies for future decision-makers, other agencies, special interest groups, and the general public.

Chapter IV - Habitat Management

Introduction

In addition to managing wildlife populations, the Wildlife Division is responsible for maintaining and enhancing wildlife habitat to ensure the protection, preservation, and propagation of wildlife species. During the audit, we examined the division's habitat activities. While the Wildlife Division actively promotes habitat protection and enhancement activities, we noted areas for improvement. The areas identified relate primarily to administrative functions and the ability to demonstrate program success. This chapter describes FWP habitat programs and makes recommendations related to habitat management.

Habitat Montana

Section 87-1-241, MCA, enacted by the 1987 Legislature, authorizes the department to acquire interests in lands for securing wildlife habitat. According to section 12.9.512, ARM, the department may acquire wildlife habitat through purchase of fee title, conservation easement, or lease. The method the division uses to protect habitat depends on the division's purpose for securing habitat, the landowner's goals, and costs for acquiring the habitat. The division's current focus is purchases of conservation easements. The first easement was purchased in 1994; the same year the department adopted a Statewide Habitat Plan as required by statute.

Purchase of Fee Title and Leasing

When the department purchases fee title, it acquires ownership of land. Land ownership gives the department management control of the habitat. The department makes land use decisions about agricultural activities and practices and public hunting and other recreational activities. Fee title purchase obligates the department for land management responsibilities such as maintaining fences, roads, and structures and controlling weeds. These responsibilities are normally handled by regional biologists. In some instances, the department may lease owned land to others for agricultural purposes if activities are compatible with or benefit wildlife. Lessees may use leased land for grazing or raising crops, and sometimes farm and/or assume maintenance responsibilities in exchange for lease costs.

In addition to purchasing fee title, the department leases land to protect habitat. The department may lease land from other

government agencies or private landowners. Department responsibilities for land management vary according to lease agreements. Leases are generally short-term and the department is limited to protecting habitat for the term of the lease.

These owned and leased acres are commonly referred to as Wildlife Management Areas. Currently, there are 57 Wildlife Management Areas encompassing about 340,000 acres.

Conservation Easements

A conservation easement allows the department to purchase specific land management rights. Inherent to a parcel of land are certain rights. These land rights are similar to a "bundle of sticks," where each "stick" is a land use right. A landowner may sell any "stick," or right, under their control. When the department purchases a conservation easement, it buys specific rights to the land from the landowner. The department purchases conservation easements ***in perpetuity***, or forever. Land use rights typically acquired through a conservation easement include:

- Prohibiting subdivision of land.
- Prohibiting or limiting building of new structures, including residential buildings.
- Prohibiting or controlling certain land management practices such as plowing native range (sod-busting), burning sagebrush, or harvesting timber.
- Requiring landowners to follow specific land management practices such as rest/rotation grazing systems.

While the department acquires certain specific land use rights when it purchases a conservation easement, the landowner retains title to the land, the ability to continue using the land under existing uses, and responsibilities for maintaining the land. The department has monitoring obligations to ensure current and future land management activities are consistent with wildlife needs and the intent of the easement.

In practice, the department and landowner create a partnership that protects critical wildlife habitat and allows the landowner to continue using the land for farming or ranching. A contracted review of the conservation easement portion of Habitat Montana was completed in March 1999. As of October 1999, there were 30 conservation easements covering a total of approximately 140,000 acres.

Upland Game Bird Habitat Enhancement Program

The Upland Game Bird Habitat Enhancement Program (UGBP) was created by the legislature in 1989 by modifying the Pheasant Enhancement Program. The Pheasant Enhancement Program, established in 1987, is a cost-share program aimed at increasing pheasant populations. The program modification allowed unspent funds to be used for development, enhancement, and conservation of habitat for upland game bird species. UGBP projects generally complement existing agricultural uses and try to create a habitat that meets food, shelter, and nesting needs for upland game birds. The habitat component is the main focus of the program. The pheasant release component still exists, but the legislature limited expenditures to $30,000 per year for the biennium.

UGBP projects are primarily made with private landowners. A contract between the department and the landowner is developed and signed. The length of a contract varies according to the type of project. Table 2 describes the types of projects and minimum contract terms.

Table 2
UGBP Project Types

Type of Project	Minimum Term	Purpose of Project
Food Plot	1 year	Unharvested grain or crops for food.
Nesting Cover CRP cost-share*	10 years	Dense nesting cover.
Shelterbelt Woody Cover	15 years	Shelter and food.
Range Management	15 years	Improve habitat.

* CRP = Conservation Reserve Program, United States Department of Agriculture

Source: Compiled by the Legislative Audit Division from department records.

Processes for Protecting and Enhancing Wildlife Habitat

The Wildlife Division's processes for protecting and enhancing wildlife habitat are similar among programs. Both habitat programs typically use a two-phase process for implementing habitat projects. Regional staff have primary responsibility for the first phase -- identifying potential projects. Division staff in Helena have primary responsibility for the second phase -- determining which projects to implement. The following sections describe how the division selects Habitat Montana and UGBP projects.

Habitat Montana Acquisition Process

Habitat Montana's primary focus is on conservation easements. Either regional biologists or landowners may initiate the process by identifying potential projects. Working cooperatively with landowners, regional biologists evaluate potential projects to determine if they meet program criteria. Regional staff and landowners may discuss wildlife potential and implications of a conservation easement, but do not negotiate any elements of a potential contract. The biologist presents potential projects to regional management for preliminary approval. Project proposals approved by the region are referred to the Habitat Bureau in Helena for further review and selection.

The Habitat Bureau chief reviews projects submitted by regions to verify proposals meet program criteria. The bureau chief then summarizes and evaluates proposals and submits his evaluations of projects to the division administrator. The division administrator reviews the evaluations and determines which proposals the program will present to the FWP Commission for initial approval. Proposals are then discussed publicly at an FWP Commission meeting.

Negotiations between the department and landowner are initiated for projects approved by the FWP Commission. Wildlife Division management, regional representatives, and Field Services Division management represent the department. Negotiation of contract terms include:

- Purchase price.
- Land use restrictions.
- Management plan.
- Public access.

If an agreement is reached, the department presents the proposal to the FWP Commission for final approval. The department submits commission-approved agreements to the State Land Board as required by statute for final approval.

The department does not reconsider projects denied during the process and does not maintain a list of potential projects for future consideration. Regional personnel must resubmit proposals for reconsideration by the department and FWP Commission.

Although the above process refers only to conservation easements, purchase of fee title or leases follows the same general process. Purchasing fee title is usually less complicated because the department does not need to negotiate long-term land management agreements as required by a conservation easement.

Selection of UGBP Projects

The selection process for UGBP projects is similar to the Habitat Montana process. Either a regional wildlife biologist or landowner may propose a UGBP project. The two work cooperatively to develop projects which meet both wildlife and landowner needs. The biologist and landowner complete a project application describing the project and benefits to wildlife species.

The biologist submits completed applications to the UGBP program manager in Helena. The program manager reviews applications and ranks projects within each region. The program manager approves projects based on project ranking and available funding in each region. The division administrator must approve projects costing more than $20,000.

Program management implemented a new application process in 1999 requiring biologists to score proposals using program criteria. The scoring system was designed to select those projects that best complement surrounding habitat and are most likely to improve upland game bird populations.

FWP Needs a System for Selecting Habitat Montana Projects

The department needs a formal process for selecting Habitat Montana projects. A formal process for identifying potential Habitat Montana acquisitions exists, but the department relies on an informal process for selecting projects. We reviewed summaries for three recently submitted project proposals. Each summary included a brief statement of how the proposal meets program criteria. The summaries also include the evaluator's opinion of whether the

project is good or great. However, the selection process does not include a quantitative system for evaluating proposals against program criteria. The department does not score proposals based on program criteria or attributes of a proposal. We were unable to determine the value of proposals in comparison to one another based on documentation.

Process Provides Minimum Assurance

The department's selection process only provides assurance projects meet minimum program criteria. Since the process does not compare the relative value of potential projects or score projects according to identified attributes, the department has limited assurance, or the ability to demonstrate, that the best projects are selected.

The legislature's Statement of Intent for Habitat Montana states the department "must ensure that acquired interests in habitat lands are reasonably distributed around the state in accordance with the statewide habitat acquisition plan and that emphasis is placed upon those areas where important habitat is seriously threatened." Department management believes it is meeting the intent of the law by addressing needs and perceived threats. However, a review of documentation gives the appearance that acquisitions are not reasonably distributed around the state. This perception is based on an interpretation of "reasonably" meaning "equitably." The Wildlife Division has purchased conservation easements on or fee title to 46 tracts of land since 1988. Twenty of these acquisitions, accounting for approximately one-half of the acres and expenditures, are in Region 3. The following table shows regional distribution of Habitat Montana acquisitions and expenditures since 1988.

Table 3
Distribution of Habitat Montana Expenditures and Acquisitions
(1988 to Present)

Region	Acquisitions	Total Expenditures	% of Total Expenditures	Total Acres	% of Total Acres
1	4	$1,463,140	5.14%	2,074.30	1.18%
2	11	$4,494,101	15.79%	17,083.00	9.68%
3	20	$15,757,015	55.35%	85,777.79	48.62%
4	4	$2,984,000	10.48%	16,080.00	9.11%
5	1	$457,150	1.61%	639.00	0.36%
6	2	$1,375,000	4.83%	21,975.43	12.46%
7	3	$1,940,000	6.81%	32,799.00	18.59%
Totals	**45**	**$28,470,406**	**100.01%**	**176,428.52**	**100.00%**

Source: Compiled by the Legislative Audit Division from department records.

Several factors may affect the distribution of Habitat Montana acquisitions. Potential factors include:

- Department staff interest. Some regions have not actively pursued Habitat Montana acquisitions.
- Local interest. Landowners and the general public may not support or have interest in Habitat Montana acquisitions.
- Disparate land values. Land values vary widely across the state.
- Types of habitat. Availability of habitat that meets Habitat Montana criteria varies among regions.
- Perceived threats. Threats to wildlife habitat vary among regions.

- Other project funding. Regions may receive funding from other sources to protect, preserve, or enhance habitat.

Division management stated they considered using a formal scoring system, but do not believe a scoring system would affect the selection process. However, a formal process will provide procedural accountability. Due to the appearance that distribution of acquisitions may be inequitable, the department needs to provide accountability for its actions. A formalized process will provide more assurance selected projects meet habitat objectives, and will improve the department's ability to document and substantiate how and why land is selected for acquisition.

Recommendation #7
We recommend the department develop a formal scoring system to document the process for selecting Habitat Montana projects.

Monitoring Landowner Compliance With Habitat Contracts

The department does not have a system for monitoring landowner compliance with all types of habitat project contracts. Contracted evaluations of the department's conservation easement and UGBP programs identified inconsistent or lack of monitoring of program activities. While the department implemented a system for monitoring conservation easements in 1998, it did not develop a monitoring system for UGBP. Instead, the UGBP relies on landowners submitting invoices for project costs and informal monitoring by regional staff. Department staff do not regularly monitor UGBP projects or document monitoring activities.

Programs Require Formal Monitoring

Department administrative rules for UGBP require landowners to submit a written report to the department within 60 days of project completion. Rules also require an onsite visit by department personnel verifying the landowner completed the project. Currently, the department is not following these rules, which was also noted in a recent contracted review of the program. Program managers recognized the need for monitoring Habitat Montana

contracts and started contracting for annual monitoring of conservation easements.

Violations of Contracts Occurred

We identified instances of landowner noncompliance with habitat project agreements. In one instance, an UGBP landowner did not complete a project despite being reimbursed for project costs. The department did not identify the contract violation until almost five years after paying the landowner for project materials. An informal department investigation noted the landowner used project materials for ranch activities unrelated to the UGBP project.

Conservation easement reports further illustrate the need for monitoring. We reviewed 12 conservation easement monitoring reports submitted by a contractor in 1999. Six reports documented one or more violations of easement terms. Documented violations included:

- Violations of rest/rotation grazing system agreements.
- Grazing livestock in prohibited areas.
- Failure to notify the department of land-use activities as required.
- Failure to provide documentation of public hunting use as required.

Conservation easements and UGBP projects may include similar land use practices such as implementing grazing systems or restricting livestock grazing or haying in certain areas. Based on the instances of noncompliance identified on conservation easements, the department may experience similar noncompliance on UGBP projects.

In addition to documenting compliance issues, a monitoring system maintains essential communication between the landowner and the department. Monitoring reports we reviewed documented landowner concerns about noxious weeds and potential changes in land ownership. Addressing existing or potential problems early

can reduce landowner/department conflict, reduce costs for corrective action, and maintain the integrity of the habitat project or conservation easement.

Summary: Monitoring System Needed

The department directs habitat program resources towards recruiting landowners and developing habitat projects. It places a lower priority on monitoring contracts. Biologists may informally check projects while driving by project sites, but do not document visits. However, given the potential risks of noncompliance and subsequent impact on habitat and wildlife, the department should establish a monitoring system for UGBP projects. Habitat monitoring activities could include coordination between programs to reduce monitoring time, developing a monitoring system for division and/or regional staff, and/or contracting for services.

Recommendation #8
We recommend the department establish a compliance monitoring system for UGBP projects.

FWP Needs to Evaluate Program Success

FWP needs a system for determining whether habitat programs are meeting objectives. This type of system requires establishing measurable goals and objectives and a method for measuring and evaluating achievement of goals and objectives.

The department has not developed meaningful or measurable goals and objectives for its habitat programs. A goal was established for Habitat Montana in 1993. The goal is to conserve approximately 10 percent of each of three different ecosystem (habitat) types. There are six ecosystem types in Montana. However, the department did not fully consider habitat costs or available resources when it set this goal. As a result, the goal of conserving 10 percent of each of three ecosystems does not appear to be meaningful or attainable.

According to department management, they have not measured program activities, but know the program has not met this goal.

Based on available information, acquisitions since 1987 amount to less than 0.75 percent of the habitat for each of the three ecosystems. Additionally, several conservation easements purchased by the department do not contain habitat that falls into one of the three ecosystem types. The department has also not evaluated the program, as stated in the statewide habitat plan, to determine whether it is meeting public expectations. Similarly, management has not set measurable program objectives or developed a system for evaluating program success for UGBP.

Administrative Rules Require Program Evaluation

Section 12.9.512(1)(f), ARM, states "the department will develop monitoring and evaluation systems to track [Habitat Montana] program success as well as the public's changing desires." A 1998 contracted evaluation of UGBP also recommended the department develop an evaluation program for habitat projects to measure the effectiveness of habitat enhancement practices. An evaluation system is essential to measuring program activities and demonstrating program success.

FWP Cannot Demonstrate Program Success

Without a formal evaluation system, the department is unable to determine whether projects are meeting intended objectives or determine if the department needs to modify strategies. For example, the 1998 UGBP evaluation report identified two aspen regeneration projects intended to enhance aspen clones and improve upland game bird populations. The projects appeared to improve aspen clones. However, the department did not measure baseline game populations before initiating the projects and it is unclear whether the projects improved bird populations. Furthermore, the department has not complied with Habitat Montana's requirements to develop a system to measure program success and monitor changing public desires.

The department relies primarily on previous academic research or other studies to justify the types of habitat projects it funds. We recognize the validity in using existing research as a basis for selecting projects to achieve specific outcomes. An evaluation system, however, provides accountability by measuring whether projects or activities are meeting intended objectives. The

department sponsored evaluations of specific habitat projects, but evaluations are on an ad hoc basis, not part of a formal evaluation system.

A system need not evaluate or measure the effectiveness of every project. It should include a formal process for selecting various habitat projects representative of department activities. The system should include measurements of all intended outcomes that relate to program objectives. Since the purpose of habitat projects is to protect or enhance habitat to benefit wildlife, the system should identify baseline habitat conditions and wildlife populations and evaluate the effect a project has on habitat and wildlife. This will provide a measure of program success. Results could be used to evaluate the statewide plan and make changes in the program to improve or change criteria if goals cannot be met.

Recommendation #9
We recommend the department implement a system for evaluating habitat projects to measure the effect projects have on habitat and wildlife populations.

Summary: Improved Documentation and Monitoring Should Improve Habitat Management

The Wildlife Division promotes good land stewardship through its habitat programs. The division also initiated processes for ensuring habitat projects meet the minimum criteria of habitat programs. Weaknesses among the habitat programs relate primarily to administrative details and monitoring systems. Identification and clarification of program objectives, establishing formal monitoring systems, and improving documentation of habitat activities will improve the department's habitat management and demonstrate accountability for its actions and use of public resources.

Chapter V - Public Access to Habitat Projects

Introduction

In addition to protecting and enhancing habitat, the department uses habitat programs to secure public access to wildlife populations on private lands. Since the department funds habitat projects with revenues from sportsman licenses and landowners receive tangible benefits from habitat projects, the department usually requires public access to the land. In this chapter we present findings related to access and make a recommendation for improving public access to the department's habitat projects.

Reduced Access Is a Concern

In April 1999, the department issued a Record of Decision on its final Wildlife Programmatic Environmental Impact Statement (EIS). During the EIS process, the department identified a public concern with reduced access/opportunity because of closures of large blocks of private land. The department decided to address this concern using its Block Management Program, Habitat Montana, and other habitat programs. The Block Management Program compensates landowners for hunter impacts on private lands. Habitat Montana and other habitat programs provide benefits and technical assistance to landowners who improve or enhance habitat on their lands. In return, the department typically requires landowners to grant reasonable public access to habitat projects.

Habitat Programs Provide Public Access to Private Lands

Statute, administrative rules, and department policies generally require public access to publicly-funded habitat projects. Section 87-1-248, MCA, requires all Upland Game Bird Habitat Enhancement Program (UGBP) projects to be open to reasonable free public hunting for upland game birds. Habitat Montana rules state the FWP Commission intends the program to contribute to hunting opportunities. Public access is a hunting opportunity. In addition, policy includes criteria for access provisions and hunter recreation days. The department typically does not consider Habitat Montana proposals that do not provide public access.

For the 1999 hunting season, UGBP funded 599 projects enhancing approximately 499,470 acres of habitat on private lands. UGBP landowners also granted more than 14,500 additional acres open to free public hunting. The department purchased conservation

easements on approximately 144,600 acres of private lands, with most of these lands open to free public hunting. Persons wanting to access habitat projects on private lands must still obtain permission from the landowner as required by law.

It is difficult to determine the total number of acres accessible under department programs because the same land may be involved in more than one program with access provisions. For example, the department may purchase a conservation easement and later enroll the landowner in a UGBP project. Also, the department may fund habitat enhancement projects on public lands, such as Forest Service lands, which are already open to public hunting.

FWP Needs to Clarify Public Access to Habitat Projects

Although all UGBP and most Habitat Montana projects require reasonable public access, the term "reasonable" is not defined, and the department does not consistently define the term in project contracts. Some conservation easements and all UGBP projects allow landowners to determine the "reasonableness" of public access to project areas. Consequently, landowners may limit public access to friends and family or restrict public access to a portion of land or a specific time of the hunting season. Furthermore, since most habitat project contracts extend from ten years to ***in perpetuity***, the department has no assurance subsequent landowners will grant similar public access if land ownership changes.

Setting Minimum Public Access Requirements

The department can clarify reasonable public access by setting minimum access requirements in individual project contracts. The department established informal policy requiring conservation easements to specify minimum public access in conservation easements. For example, some conservation easements specify the number of hunter days per week or season a landowner must allow access to the land. Department management said setting minimum public access provisions clarifies department and landowner access requirements.

There Is Minimal Assurance of Public Access

Current department practices provide minimal assurance the public has access to wildlife on publicly-funded habitat projects. For example, the UGBP considers hunting opportunity when selecting project proposals, requiring biologists to estimate potential hunter days a project will provide. The department's selection process also gives landowners additional preference for opening additional land to free public hunting. However, department contracts do not require landowners to provide public access that is comparable to estimates made during the selection process.

Access Is Considered a Secondary Benefit

The department concentrates habitat activities on project implementation and considers access a secondary benefit. Department personnel are concerned that increasing emphasis on public access will discourage landowners from participating in habitat programs. Consequently, the department generally allows landowners discretion in determining public access to projects.

The department acknowledges the benefits of clarifying public access provisions in project contracts. By formalizing and expanding this practice to all contracts, the department can better address public access objectives and provide hunters more assurance landowners will grant access to publicly-funded projects.

Recommendation #10
We recommend the department establish policies to clarify public access requirements in each habitat program contract.

Additional Concerns

In the previous section, we noted the department is using habitat programs to secure public access to private lands. Our review identified two additional concerns related to access:

- The department has neither actively promoted nor publicized access to habitat projects. Management needs to develop methods for publicizing information about hunting opportunities on publicly-funded projects.

- The department does not monitor whether programs have successfully secured free public hunting. A process is needed for monitoring public access and use.

These issues were also identified under a separate Legislative Audit Division review of the department's Block Management Program (97P-10). Details about these issues and a recommendation for improvement are made in the block management audit report.

Chapter VI - Management Activity Coordination

Introduction

After reviewing wildlife and habitat management activities conducted by the Department of Fish, Wildlife and Parks (FWP), we evaluated coordination between management strategies. Our objective was to answer the question "Is there coordination and support between wildlife and habitat management activities?" This chapter discusses our analysis and provides a recommendation for management consideration.

Wildlife and Habitat Are Directly Connected

According to the department, habitat is defined as the resources and conditions present in an area that produce occupancy, including survival and reproduction, by a given organism. In order to survive, species need several things:

- Air
- Food
- Water
- Cover
- Space

Habitat provides these things. Wildlife and habitat are directly connected. Without habitat, wildlife species could not exist.

Statutes, Rules, and Policies Indicate a Connection

As discussed in Chapter III, the statutory definition of management is the collection and application of biological information for the purposes of increasing the number of individuals within species and populations of wildlife up to the optimum carrying capacity of their habitat and maintaining such levels. Habitat acquisition laws require an analysis of:

- Wildlife populations and use of the land.
- Potential value of land for protection, preservation, and propagation of wildlife.
- Management goals proposed for wildlife populations.

In addition, rules for Habitat Montana include a goal for conservation of wildlife populations. The department's Elk Management Plan includes habitat objectives. These are just a

sample of the regulations that make the connection between wildlife and habitat.

Does Coordination Exist?

Wildlife and habitat management activities are coordinated at the regional level. Biologists are responsible for day-to-day management activities. Across the state, biologists are assigned responsibility for certain areas and species. Individual biologists make recommendations for hunting season and quota changes and submit proposals for protecting and/or enhancing habitat. In addition, biologists provide technical guidance to state and federal land managers and private landowners regarding habitat management practices.

Objectives, plans, and other management strategies are initiated at the local level. Biologists and other field personnel must integrate wildlife and habitat management activities. For example, the Elk Management Plan contains habitat objectives to assist in maintaining objectives for elk populations and harvest levels. These activities are reviewed and approved by regional management. Program managers in Helena only review management strategies to identify potential impacts on a statewide basis.

Breakdown of Coordination at Program Level

At the program level (Helena), there is some separation between wildlife and habitat activities. Separate bureaus are responsible for various aspects of management. While laws, rules, and policies all contain language which connects wildlife and habitat management, actual coordination between wildlife and habitat activities is lacking.

Even though managers and supervisors of the department's wildlife and habitat programs are physically located in the same office, coordination between and among activities is not a normal part of operations. For example, when habitat proposals are submitted to Helena for review and approval, there is no formal involvement by the wildlife program manager. In turn, habitat program managers are not normally involved in developing, reviewing, and/or updating wildlife management plans.

Lack of Coordination Impacts FWP Commission

The FWP Commission is involved with most wildlife and habitat management activities. The FWP Commission approves final hunting seasons and quotas, as well as acquisitions under Habitat Montana. However, there are some activities the FWP Commission is not involved with. One example is the Upland Game Bird Habitat Enhancement Program (UGBP). The FWP Commission does not approve funding of UGBP projects. Similarly, the FWP Commission has limited involvement with waterfowl habitat enhancement activities.

The managers of the wildlife and habitat programs are responsible for presenting information to the FWP Commission. Lack of coordination at the program level results in limitations on the effectiveness of providing decision-makers with all available data. Thus, while the FWP Commission is aware of wildlife and habitat activities, it is not fully informed of all wildlife and habitat management activities.

Increased Coordination Appears to Be Needed

The organization and structure of FWP creates an environment of separation of functions. There are distinct divisions between the department's three programs: fish, wildlife, and parks. This appears to filter down to wildlife and habitat activities.

Due to the structure and organization of the Wildlife Division, there appears to be a need for increased coordination. For example, UGBP is under the supervision of the Management Bureau. The Management Bureau is responsible for wildlife management. The reason UGBP is under this bureau is due to its initial creation as a pheasant enhancement program. UGBP currently focuses on habitat enhancement. However, there is no formal coordination between UGBP and Habitat Montana. In addition, waterfowl habitat enhancement activities are under the supervision of the division administrator. Neither the Management Bureau nor the Habitat Bureau has responsibilities for these activities at the program level. Waterfowl habitat projects also benefit upland game birds, and vice versa. However, these two habitat programs also do not regularly coordinate activities at the program level.

Coordination Between Activities Should Increase Effectiveness

Emphasizing coordination between wildlife and habitat activities at the program level should help increase the effectiveness of management. At a minimum, a system should be implemented to ensure coordination between the managers of the wildlife and habitat programs. Increased coordination could also help address some of our other recommendations. For example, coordination could include habitat managers as part of the ongoing evaluation and update of wildlife management plans. If the department chooses to use a committee as a way to implement a formal scoring system for Habitat Montana, the committee could include a wildlife representative. In addition, the organization of the division's three main habitat programs (wildlife, habitat, waterfowl) could be evaluated as part of a coordinated effort to determine if a more effective structure is possible.

Recommendation #11

We recommend the department create a system which emphasizes coordination between wildlife and habitat activities at the program level.

Agency Response

Montana Fish, Wildlife & Parks

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Ref:DO0041-00
February 1, 2000

Mr. Jim Pellegrini
Deputy Legislator Auditor
Performance Auditor
POB 201705
Helena, MT 59620-1705

Dear Jim:

We have received the final performance audit report of the Wildlife Division. We appreciate the efforts of your staff to gain an understanding of the complexities of a program of this nature. We always welcome your recommendations that will improve our accountability to the publics we serve.

The Department's responses to the 11 recommendations are as follows:

Recommendation #1

We recommend the Department:

A. *Properly document wildlife management decisions management decisions made during the season setting process.*
B. *Develop a system to insure justification forms include all necessary information especially in relation to management objectives.*

Concur

The Department agrees that having a more complete record of decisions made during the extensive season setting process is necessary. A format will be developed that will track decisions made on various recommendations of seasons and quotas. Final decisions made by Fish, Wildlife & Parks Commission will be the official record as recorded in the minutes of the Commission meetings where final approval is made.

The Department will work with central and regional staff to develop or revamp justification forms to ensure that recommendations include applicable objectives and other pertinent information for the

recommendations. This will be completed prior to the establishment of final big game quotas in 2000.

Recommendation #2

We recommend the Department evaluate the potential for using weather data to document impacts and support conclusions.

Concur

The Department has recognized the influence of weather on various wildlife populations. As pointed out, this information has not been readily accessible until recently. The Department has already begun exploring which weather data sets to analyze for various wildlife species.

Recommendation #3

We recommend the Department establish a process to ensure statewide harvest survey data is available to decision makers on an annual basis.

Concur

The Department fully understands the importance of timely harvest survey data. The sportsman's database has historically been the foundation for conducting harvest surveys. This database is currently generated from license sale documents after accounting processes them. We will continue efforts to improve timeliness of reporting. When the ALS comes online in 2002, we will be able to generate and update the database on a "real time" basis. That will expedite sampling and reporting and should provide for even more accurate and timely annual reporting. The Department will explore options with the DP staff for interim solutions until ALS is operational.

Recommendation #4

We recommend the Department continue formalizing plans for species it manages.

Concur

The Department continues to write management plans for the species it manages. The time involved with developing public agreement on management of species like elk and deer means it will take

time to complete plans for all species. This has been further delayed responding to petitions for listing species as Threatened and Endangered by the FWS such as lynx, prairie dogs and plovers. In the interim, we will begin by compiling existing goals and objectives for species for each region.

Recommendation #5

We recommend the Department modify the current annual reporting process to include monitoring and reporting on progress toward meeting objectives and strategies for achieving objectives.

Concur

The Department recognizes that a good management system includes establishing goals and objectives and then adequate monitoring to assess whether the objectives are being met. The type of monitoring depends upon the objective and what strategies are utilized. Some strategies may not produce measurable benefits for some time such as certain habitat enhancement projects. The management plan should specify a monitoring and evaluation schedule commensurate with the timeframe responses could normally be expected.

Recommendation #6

We recommend the Department establish and implement a process for revising and update management plans on a regular basis.

Concur

The Department agrees that utilizing management plans that are out of date can be a source of frustration for the public and the commission. The development of the plan should include a formal date and process for review of plan objectives. The commission has established a priority to updating species management plans. The Department will suggest to the commission a priority for review of species plans as an outcome of our current six-year planning process.

Recommendation #7

We recommend the Department develop a formal scoring system to document the process for selecting Habitat Montana projects.

Concur

The Department chartered a Total Quality Management Team to review the process for making decisions and implementing the Habitat Montana program. Your recommendation will be forwarded to the team for consideration in its development of recommended changes to our decision-making processes related to Habitat Montana program. The team's report is scheduled for completion within the year. A documented, accountable decision-making process will be developed based on the team's recommendations by June 2001.

Recommendation #8

We recommend the Department establish a compliance monitoring system for UGBP projects.

Concur

The Department currently has nearly 700 contracts with landowners for habitat enhancement. Approximately 80% of these involve cost share with NRCS that monitor compliance as a regular part of its program. The Department will work with NRCS to avoid duplication of monitoring efforts and develop a reporting system for noncompliance projects. The Department will develop a monitoring system for those projects that do not involve NRCS to ensure compliance with contract provisions by 2001.

Recommendation #9

We recommend the Department implement a system for evaluating habitat projects to measure the effect projects have on habitat and wildlife populations.

Concur

The Department recognizes that cause and effect relationships are the foundation for particular recommendations for habitat management activities. Habitat/wildlife evaluations are costly endeavors and careful consideration must be given to selecting and designing evaluations. The Department will develop a system for prioritizing habitat projects for measuring the effectiveness of our conservation efforts. A prioritized list of projects will be developed by November 2000. Specific performance measures for selected projects will be developed by June 2001. Annual monitoring and reporting on measures will be implemented in FY 02.

Recommendation #10

We recommend the Department establish policies to clarify public access requirements in each habitat program contract.

Concur

The Department fully recognizes the importance that sportsmen and women place on access; particularly those lands, which have received some funding support for habitat preservation or enhancement. Not all habitat projects lend themselves to the same level of recreational access and some funding sources have different requirements as it pertains to access. Policy guidance on access provisions for habitat contracts will provide consistency for field biologists in negotiating contracts. Draft policy recommendations will be made to the director by November 2000.

Recommendation #11

We recommend the Department create a system that emphasizes coordination between wildlife and habitat activities at the program level.

Concur

We agree that increased coordination of habitat and wildlife programs will be necessary to meet the growing impacts of land use and development on both game and nongame species. The Department has recognized that a landscape approach to habitat and wildlife management is the best way to integrate the now seemingly disjunct species focus. The Department has initially focussed its efforts on developing a landscape approach for the sagebrush/grassland ecotype. We will expand efforts to other ecotypes across Montana once a workable template has evolved.

Again, I want to thank you for your analysis and recommendations.

Sincerely,

Pat Graham

Patrick J. Graham
Director

Appendix A

Appendix A – Management Information from Other States

Introduction

As part of our audit, we gathered general information from other states regarding wildlife and habitat management. We contacted wildlife and/or habitat managers in five western states and reviewed a Wyoming survey of other states' activities. The states contacted include:

- Idaho
- Oregon
- South Dakota
- Washington
- Wyoming

In addition, we reviewed information previously obtained from other states by the Legislative Audit Division. This appendix summarizes other states' activities.

Summary – Activities are Comparable

The western states we contacted conduct similar wildlife and habitat management activities. States use survey and inventory and harvest survey information to gather information about wildlife populations and population characteristics (e.g., sex distribution and age structure). All western states use population objectives and/or management plans for managing wildlife, although states do not necessarily have management plans for each species. The season setting processes in these western states rely heavily on survey and inventory information and department wildlife management plans.

Since these wildlife agencies typically own little land, habitat management activities are primarily cooperative efforts with other public and private land managers. Habitat management activities may include developing water systems for wildlife use, controlled burns, developing food plots, fencing, planting woody cover, and many other activities designed to improve wildlife habitat.

Although these states conduct similar management activities in general, there are differences in strategies used for managing wildlife and habitat. For example, some states manage wildlife to meet different objectives, such as trophy hunting. Idaho purchases conservation easements to protect habitat, as does Montana. However, Idaho's conservation easements primarily limit development (subdivisions), but do not include detailed contracts and/or management plans like Montana's easements.